



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/574,325

04/03/2006

Michel Basler

20171 (441 PCT)

7134

31743

7590

10/21/2009

Georgia-Pacific LLC

133 Peachtree Street NE - GA030-41

ATLANTA, GA 30303

EXAMINER

DUCHENEAUX, FRANK D

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

10/21/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Attachment to Advisory Action**

In the response dated 10/14/2009, the applicants have: on pages 5 and 7, amended the abstract in response to the examiner's objections in paragraphs 7 and 9 in the action dated 8/17/2009 and the examiner's notes in said action; on pages 4 and 7, amended the specification in response to the examiner's objections to the specification in paragraph 10 of the action dated 8/17/2009; on pages 6-7, amended the drawings in response to the examiner's objection to the drawings in paragraphs 11 and 12; on pages 2 and 8, amended the claims in response to the examiner's objection to the claims in paragraph 12 of the action dated 8/17/2009; on pages 2 and 8-9, amended the claims in response to the examiner's rejections of claims 1-12 under 35 U.S.C. 112, 2<sup>nd</sup> paragraph. Applicants' amendment, filed 10/14/2009, has been fully considered.

However, the amendment has not been entered given that the amendment to claim 1, requiring each of the first zones ( $A_1$ ) being delimited by a continuous contour (D) rather than the first zones representing a contour formed by a marking line has altered the scope of the current invention in that the former recites a first zone, wherein a boundary(ies) of said first zone represents a contour, while the latter provides for each of the first zones delimited by a contour wherein the contour does not necessarily have to be defined by the first zones. In addition, the amendment to claim 5 requiring protuberances forming continuous lines rather than protuberances of a linear shape and/or alignments of protuberances has altered the scope of the current invention in that the latter recites the shapes of protuberances (i.e. the shape, form, geometry of a protuberance) and alignments of said protuberances (i.e. how a single or plurality

Art Unit: 1794

of the protuberances are placed in relation to each other or some other reference), while the former suggests protuberances in the shapes of continuous lines (i.e. a single protuberance consisting of a single, continuous non-linear line such as the shape of an animal). Therefore, the amendments to the current claims would require further consideration and search and as such, the amendments have not been entered.

It is noted that if the amendments were entered, the objections to the abstract, the specification (except as noted below), the drawings and the claims, and the rejection of the claims under 35 U.S.C. 112, 2<sup>nd</sup> paragraph would be overcome

It is also noted that even if the amendments were entered, item 3) in the objections to the specification in paragraph 10 of the action dated 8/17/2009 has not been corrected since the cross section (2-2) in figure 1 of the drawing replacement sheet dated 10/14/2009 is referenced as "II" in paragraph 0023 of the marked-up and clean copy of the amended specification.

It is further noted that even if the amendments were entered, present claims 1-12 would not be allowable over the prior art of record for the following reasons. The applicants' argue, on pages 9-10 of the response dated 10/14/2009, while the Edwards reference teaches first zones and second zones, Edwards is completely absent each of the first zones being delimited by a continuous contour formed by a marking line as the peripheral circles (Edwards' second zone) are discrete and unconnected.

Art Unit: 1794

The examiner respectfully disagrees with the applicants' assertion that amended claim 1 would overcome the prior art of record since said claim does not require that the second zones are necessary in order to delimit the first zones; only that the second zones surround the first zones, which the second zones of circles clearly do to the first zone of diamonds as demonstrated in Fig. 21c-1 of Edwards, and that each of the first zones are delimited by a continuous contour formed by a marking line, which is provided by the boundaries of the male and female elements forming the diamond as is also demonstrated Fig. 21c-1. It is noted that the current claim 1 does not require which element of the invention be responsible for delimiting the first zones.

The applicants' argue, on pages 11-12 of the response dated 10/14/2009 that the obviousness rejection of claim 9 Edwards et al. in view of Graff and the obviousness rejections of claims 10-12 over Edwards et al. in view of Roussel is improper as the references fail to teach or suggest each and every element of the instant invention in such a manner as to perform as the claimed invention performs. Specifically, applicants assert that the aforementioned reference combinations are applied only against the respective dependent claims as Edwards fails to teach each and every element of amended claim 1 and neither Graff and/or Roussel cure the Edwards' deficiencies.

The examiner directs the applicants' attention to the rejections of claims 9 and 10-12 as annotated in the action dated 8/17/2009 in paragraphs 4 and 5, respectively, in which it is put forth that Edwards teaches a multi-ply tissue paper as in the rejection of claims 1-5 and claims 1-

Art Unit: 1794

8, also respectively, and to the examiner's response to applicants' arguments in regards to claim 1 of the current action.

/FRANK D DUCHENEAUX/

Examiner, Art Unit 1794

/Callie E. Shosho/

Supervisory Patent Examiner, Art Unit 1794